

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----		X
NUNEZ,		:
		:
Plaintiff,		:
		:
-v-		:
		:
CITY OF NEW YORK, <u>et al.</u> ,		:
		:
Defendants.		X

11-CV-5845 (LTS)

ORDER

The Court has received a copy of the proposed City and Department of Correction's Action Plan and the accompanying letter from the Monitoring Team. (Docket entry nos. 453 and 454.) The Court thanks the Monitoring Team for its offer to provide any modifications to the proposed Action Plan, as well as a proposed agenda for the May 24, 2022, status conference, by **12:00p.m. (noon) on May 23, 2022**, and hereby directs that the proposed modifications and conference agenda be filed by that date and time. The Court further directs the **Commissioner of the New York City Department of Correction** to attend the May 24, 2022, status conference in this action, which will be held as a videoconference, due to the need for clarity as to the details of the Action Plan and its proposed implementation.

The status conference in this matter is hereby scheduled to occur as a **video conference** via the Microsoft Teams platform on **May 24, 2022, at 2:30 p.m.** The Monitor, the party representatives, and the Commissioner of the New York City Department of Correction will participate by video and/or telephone through the Teams platform. All others may listen to

the proceedings by calling the “888” number and following the instructions set forth below on page two of this order.

To optimize the quality of the video feed, only the Court, the Commissioner, the Monitor and the Deputy Monitor, and two representatives each of defense counsel, plaintiffs’ counsel, and counsel for the Government, may appear for the proceeding. The video participants **are hereby directed to email** SwainNYSdcorresp@nysd.uscourts.gov their contact information **by Friday, May 20, 2022, at 12:00 p.m. (noon)**. Chambers will then email the representative parties with further information on how to access the video call. Those participating by video will be provided a link to be pasted into their browser. The link should be used only at the time of the hearing. To optimize use of the video conference technology, all those participating by video should:

1. Log in from a quiet, stationary, non-public location, in order to minimize background noise and potential service interruptions.
2. Use the most recent version of Firefox, Chrome, or Safari as the web browser. Do not use Internet Explorer.
3. Use hard-wired internet or WiFi. If using WiFi, the device should be positioned as close to the Wi-Fi router as possible to ensure a strong signal. (Weak signals may cause delays or dropped feeds.)
4. Minimize the number of others using the same WiFi router during the hearing.

Further, all participants must identify themselves every time they speak, spell any proper names for the court reporter, and take care not to interrupt or speak over one another.

Other co-counsel, members of the press, and the public may access the audio feed of the hearing by calling **888-363-4734** and using access code **1527005#** and security code **4999#**. All of those accessing the hearing — whether in listen-only mode or otherwise — are reminded that recording or rebroadcasting of the proceeding is prohibited. See Standing

Order M-10-468, No. 21-MC-45 (S.D.N.Y. Jan. 19, 2021). Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

If Microsoft Teams does not work well enough and the Court decides to transition to its teleconference line, counsel should call **888-363-4734** and use access code **1527005#** and security code **4999#**. (Members of the press and public may call the same number, but will not be permitted to speak during the hearing.) In that event, counsel should adhere to the following rules and guidelines during the hearing:

1. Each party should designate a single lawyer to speak on its behalf (including when noting the appearances of other counsel on the telephone).
2. Counsel should dial in from a quiet, stationary, non-public location, use a landline whenever possible, use a headset instead of a speakerphone, and mute themselves whenever they are not speaking, to minimize background noise and service interruptions. In addition, counsel should not use voice-activated systems that do not allow the user to know when someone else is trying to speak at the same time.
3. To facilitate an orderly teleconference and the creation of an accurate transcript, counsel are *required* to identify themselves every time they speak. Counsel should spell any proper names for the court reporter. Counsel should also take special care not to interrupt or speak over one another.
4. If there is a beep or chime indicating that a new caller has joined while counsel is speaking, counsel should pause to allow the Court to ascertain the identity of the new participant and confirm that the court reporter has not been dropped from the call.

SO ORDERED.

Dated: May 18, 2022
New York New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge